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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Case No. 6: 11-CR-60097-AA

Plaintiff,

GOVERNMENT'S MOTION TO EXTEND
DEADLINE AND CONTINUE TRIAL

v.

CODY SETH CRAWFORD,

Defendant.

The United States of America, by S. Amanda Marshall, United States Attorney for the District of Oregon, through William E. Fitzgerald, Assistant United States Attorney, and by Thomas E. Perez, Assistant Attorney General for the Civil Rights Division of the U.S. Department of Justice, through Fara Gold, prosecutor for the Civil Rights Division, now moves this Court to extend the deadline for the United States to respond to the defendant's Motion to Suppress and continue the trial date of April 9, 2013.

On August 24, 2011, a federal grand jury issued a two-count indictment charging the defendant with Damage to Religious Property and Use of Fire to Commit a Felony.

On February 14, 2013, the defendant filed a 55-page motion to suppress with several exhibits attached, to include expert evaluations and reports concerning the defendant's mental

health and alcohol use. In order to properly respond to this motion, the United States may have to retain its own expert either for consultation or evaluation of the defendant or both.

Prosecutor Fara Gold is scheduled begin a Deprivation of Rights and Obstruction of Justice trial of United States v. Kevin James Casaus, 12-01553WJ, in the District of New Mexico on March 4, 2013. Trial preparation in Albuquerque, New Mexico will commence on February 19, 2013, and Ms. Gold expected to return from New Mexico on or about March 11, 2013.

Given the novel issues presented in the defendant's motion, the length of the motion itself, the fact that the United States may need to retain an expert to adequately litigate the issues, the defendant's request for oral argument, and one of the prosecutor's scheduling conflicts, the United States respectfully requests until the middle of April 2013, to file its response. While this deadline is longer than the average response time for a motion, it is not unreasonable due to the aforementioned reasons and because one of the prosecutors will be unavailable for the upcoming three weeks.

Moreover, the defendant indicated in footnote in his Motion to Suppress that he may file an additional motion with regard to DNA evidence. If such a motion is filed, it would likely cause a delay in the trial date as well.

The United States has conferred with defense counsel, Bryan Lessley, who does not object to this motion, specifically understanding that the filing of the defendant's Motion to Suppress would likely lead to a delay in the proceedings.

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WHEREFORE, having filed this Motion to Continue in good faith and without causing undue delay, the United States respectfully moves the Court to grant this motion.

DATED this 19th day of February, 2013.

S. AMANDA MARSHALL
United State Attorney

/s/William E. Fitzgerald
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Assistant United States Attorney

THOMAS E. PEREZ
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